

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>6-30-09</u>

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
STX PANOCEAN CO., LTD.,

Plaintiff,

- against -

NORTH CHINA SHIPPING LTD. BHM,

Defendant.
-----X

2:08 Civ. 10088 (VM)

ORDER

VICTOR MARRERO, United States District Judge.

By Order dated November 20, 2008, the Court granted the application of plaintiff STX Panocean Co., Ltd. authorizing a Writ Marine Attachment and Garnishment (the "Order") to be served on defendant herein for a period of 90 days. The Court directed plaintiff to submit to the Court a status report within 90 days of the Order, and warned that in the event within that time no such report or application for renewal of the Order is submitted, or no property of defendant is found within this District, the Court may dismiss this action. A review of the Docket Sheet for the action indicates no further entry in the public file, correspondence with the Court or any other proceedings since November 21, 2008. Accordingly, it is hereby

ORDERED that the Clerk of Court is directed to dismiss the complaint in this action without prejudice for plaintiff's failure to comply with the Court's Order dated November 20, 2008.

SO ORDERED.

Dated: New York, New York
29 June 2009

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end.

VICTOR MARRERO
U.S.D.J.